



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,782	12/20/2001	Peter R.C. Gascoyne	UTSC:736US/MCB	9586

7590 08/09/2004
Michael C. Barrett
FULBRIGHT & JAWORSKI L.L.P.
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TX 78701

EXAMINER

SHIBUYA, MARK LANCE

ART UNIT	PAPER NUMBER
----------	--------------

1639

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
101027,782	12/20/2001	Gascoyne, Peter	UTSC:736US/MCB

EXAMINER	
MARK SHIBUYA	

ART UNIT	PAPER
1639	08032004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please see attached sheet.

ms


PADMASHRI PONNALURI
PRIMARY EXAMINER

Notice of Non-Responsive Election

1. The reply filed on 6/21/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant improperly elected "Group I", claims 1-12 and 53-55. Each group has been designated by a Roman numeral *and* an alphabet in parenthesis, e.g., I(a), I(b), II(c), and so on. Therefore, a proper election, for example, would be I(a), claims 1-6, 7 and 8.
2. Claim 11, which is drawn to a microparticle comprising a vesicle, and was omitted, inadvertently, from the Requirement for Election/Restriction, mailed 5/18/2004, is in placed in Group I(e). Therefore, Group I(e) contains claims 1-4, **11** and 12. The examiner regrets any inconvenience this may have caused the applicant.
3. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).